

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8  
1595 Wynkoop Street; Denver, CO 80202-1129**

**PUBLIC NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENT AND  
OPPORTUNITY TO COMMENT ON CWA COMPLAINT**

**Action:** EPA is providing notice of a Complaint and Settlement Agreement with penalty assessment and the opportunity to comment on the proposed assessment for alleged violations of the Clean Water Act.

**Summary:** EPA is authorized in Class II proceedings under Section 311(b)(6) of the Clean Water Act ("CWA"), 33 U.S.C. § 1321(b)(6), to issue orders assessing civil penalties for violations of the CWA and implementing regulations, after providing the person subject to the penalty notice and opportunity for a hearing, and after providing the public with notice of the proposed penalty, opportunity to submit written comments and to participate in a Class II penalty proceeding, if any. The deadline for submitting public comment is thirty days after issuance of this notice.

On February 5, 2009, EPA filed a Complaint and Settlement Agreement pursuant to Section 311(b)(6)(C) of the CWA, EPA hereby notifies the public of this proposed penalty assessment:

In the matter of: Rocky Mountain Pipeline System, LLC  
1600 Stout St. Ste 1200  
Denver, CO 80202

EPA Docket Number: CWA-08-2009- 0005  
Proposed penalty in the Complaint and Settlement Agreement: \$125,000

Alleged violations: Failure to prepare and implement Facility Response Plans in accordance with 40 C.F.R. §§ 112.20 and 112.21 at four of its facilities listed below, alleging violations of the CWA and its regulations, regulations issued under Section 311(j) of the CWA.

Rocky Mountain Pipeline System, LLC  
3225 Eglin Street  
Rapid City, SD

Rocky Mountain Pipeline System, LLC  
1004 South Santa fe  
Fountain, CO

Rocky Mountain Pipeline System, LLC  
8160 Krameria Avenue  
Dupont, CO

Rocky Mountain Pipeline System, LLC  
1112 Parsley Boulevard  
Cheyenne, WY

Submit written comments to: Tina Artemis  
Regional Hearing Clerk (8RC);  
EPA Region 8

1595 Wynkoop Street  
Denver, CO 80202-1129  
Telephone: (303) 312-6765.

**FOR FURTHER INFORMATION:** Persons wishing to receive a copy of the Consolidated Rules, the Complaint, or other documents in this proceeding, or to comment upon the proposed penalty assessment, or any other aspect of the matter, should contact the Regional Hearing Clerk identified above. The administrative record for the proceeding is located in the EPA Region 8 Hearing Clerk Office identified above and the file will be open for public inspection during normal business hours. No action will be taken by EPA to finalize a settlement in this matter until 30 days after this public notice.